As more and more zoos find themselves facing many of the same problems that shelters do when they deal with the difficult decision of how to dispose of surplus animals, it is clear that humane organizations can offer them much-needed support and guidance.

Several factors have contributed to the development of zoos' predicaments. At one time, many zoos were guilty of creating an animal surplus by allowing indiscriminate breeding. However, this now occurs less frequently as birth control methods are perfected for species of wild animals, and zoos become more rigorous in their breeding programs and in coordinating their efforts, both nationally and internationally. So many changes, both scientific and ethical, are taking place in approaches to captive-animal...
management that today more and more of zoos' surpluses can almost be considered to be "planned," i.e., a natural by-product of their making the much-needed transition to modern zoo practice.

As data from studies of animals in the wild accumulate and we realize how quickly the wild populations of animals are diminishing, zoos feel an increased pressure to provide a refuge where these species can live and reproduce in the hope of eventual re-introduction to the wild. Indeed, zoos have succeeded in preserving several species that are now extinct in the wild. In propagating rare and endangered species, zoos must actually overbreed and then selectively cull (kill) in order to ensure a viable breeding population for continuation of a species. The truth is, however, that such breeding programs create a continual source of surplus animals.

Out of these studies in the wild has also come the knowledge that animals must be exhibited in larger, more naturalistic enclosures, something The Humane Society of the United States (HSUS) has long advocated. As zoos make the transition to improved exhibit design, they are not always able to care for their entire population at this new, improved level. (Space is always a limited resource for zoos; in fact, all the zoos in this country would not even fill an area the size of New York City.)

Until recently, most zoos took an "out of sight, out of mind" attitude toward their animals and readily sent their surplus to roadside menageries. Such a practice is contrary to HSUS' belief that a zoo has a responsibility to its animals for the duration of their lives. Zoo professionals have now taken the alternative, some zoos do not readily accept the necessity of this decision. Perhaps they have not had enough time to become comfortable with this philosophy, and certainly, they fear repercussions from the public and from their own employees.

As humane professionals, you may be in an excellent position to assist your local zoo, which could certainly benefit from your humane perspective and from the experience you have gained in dealing with the public-relations and employee-morale aspects of this difficult issue.

First, of course, you will want to gain a good understanding of your zoo's policy regarding surplus animals and will want assurances that in every case where euthanasia is being considered, the much-needed transition to modern zoo practice.

A New Jersey animal dealer, convicted of animal cruelty and arrested on similar charges several days later, may have continued to transport animals to area shelters even though his federal animal-dealer license had been temporarily suspended for 21 days for violating the U.S. Animal Welfare Act (AWA).

According to Charlie Gerofsky, chief officer of the New Jersey State SPCA, Rudolph Vrana of Millville, N.J., received his suspension after his arrests and after a Feb. 24, 1983, U.S. Department of Agriculture (USDA) inspection of his garage/pound revealed deficiencies in veterinary care, sanitation, identification, and record keeping. The suspension was to prevent Vrana from buying, selling, or transporting any animals regulated under the AWA. However, according to Gerofsky, although the USDA was notified that Vrana had violated the terms of his suspension by transporting animals, the agency took no action against him.

Dr. Irwin H. Huff, veterinarian in charge of USDA Veterinary Services in Trenton, N.J. (Suite 6, 2333 Whitehorse-Mercerville Rd., Trenton, NJ 08619), disputed that report. "It is hard to pick out the facts from the rumors in this case," he said. "The USDA did look into the alleged suspension violation, but Vrana's name did not appear on the New York research facility's records, which indicated that the facility in question hadn't received animals from Vrana on the day in question. The USDA asked Gerofsky for the name of the person who claimed to have seen Vrana transporting animals during the time of his license suspension, but no name has been given. We aren't eliminating the possibility that Vrana was illegally transporting animals, but we cannot find evidence that he was."

On Feb. 28, 1983, Vrana was arrested by Burlington County SPCA officers (P.O. Box 164, Mount Holly, NJ 08060) after a tip from a New York research laboratory worker about Vrana's inhumane treatment of animals. He was later convicted of 12 counts of animal cruelty and fined nearly $5,000 after officers found he had crammed 102 cats, dogs, and rabbits into cages too small to accommodate them. According to reports, some of the animals were bleeding from the mouth, their legs bent in unnatural positions, suffering from hunger and thirst, and covered with urine and feces. Some had distemper. A few of the cats had severe upper respiratory infections. Roughly one-third of the animals died either from illness or because they had to be humanely euthanized, said Gerofsky. Vrana, in the meantime, was able to post bail and leave jail.

Vrana was again arrested on March 14 and charged with six counts of animal cruelty and two counts of assault on the SPCA arresting officers. He was able to post his bail again and is now awaiting the outcome of a grand jury investigation into those charges.

At least 12 to 15 of the animals recovered from Vrana were reclaimed by owners whose pets had disappeared, said Gerofsky, although other reports indicated only one to three animals were stolen pets.

Area animal dealers like Vrana usually buy their animals for a dollar or two from auctions in New Jersey and Pennsylvania, which are supplied by animal wardens who sell unwanted pets that have been reclaimed by owners whose pets had disappeared.
The fad dog breeds of the moment seem to be the Chow, Akita, and Rottweiler, according to the April 1983 Gazette, so potential adopters should be warned that these tough, willful dogs may not be appropriate for their lifestyles, and shelter workers should learn how to handle them properly.

These dogs are noted for their size, strength, stubbornness, or aggressiveness, and Chows are particularly sensitive to high temperatures and humidity, the report said. Many parts of the country, and many households, are not suitable for them. Once these dogs pose problems for pet owners, they may likely be turned in to shelters.

According to the Gazette, 3,257 Akitas were registered with the American Kennel Club Inc. between Jan. 1, 1982, and Dec. 31, 1982—an increase of 597 from 1981. Chows registered at 22,623 for the same period in 1982 as opposed to 18,511 in 1981. Rottweilers registered at 9,269 during that time last year, up from 6,524 in 1981.

Roger Caras, ABC-News correspondent and author of The Roger Caras Dog Book, a guide to purebred dogs (Copyright 1980; published by Holt, Rinehart and Winston), wrote that the Akita was used to hunt bear, boar and deer in Japan. "Because of their hunting background and their fearless quality, Akitas are best maintained under tight control. They can be quite aggressive toward other dogs and should only be owned by people with some prior experience with large, tough-minded dogs. The Akita is not a casual pet."

For the Rottweilers, "Too much confinement can make them tense and alter their disposition."

The Conference on the Human/Animal Bond, previously scheduled for June 13-14, has been re-scheduled for June 21-22, 1983, at the University of Minnesota Earle Brown Center for Continuing Education (see March 1983 Shelter Sense, p. 9), has been re-scheduled for June 13-14 at the Radisson South Hotel in Minneapolis. Further information about registration, hotel information and rates may be obtained from Dr. James Hanson, Director of Continuing Education, College of Veterinary Medicine, University of Minnesota, St. Paul, MN 55108; (612)373-1154.

As reported in the March Shelter Sense, a similar California conference will be held June 17-18 at the University of California College of Medicine on the campus at Irvine.

July 4 Warning...

July 4 fireworks displays and other activities may frighten and harm pets that are left unconfined and unprotected by thoughtful pet owners.

Begin NOW to advertise a Fourth of July "hotline" for lost and injured pets. Distribute fliers that simply and easily explain the dangers of exposing animals to the noise, confusion, and fireworks that are a part of this yearly celebration. Remind the public that your organization will be on the lookout for cases of animal mistreatment -- one tragic result of an otherwise happy holiday.

Continued on next page
A series of annual rabies clinics, sponsored by the Bedford County Humane Society (P.O. Box 205, Bedford, PA 15522), may curb the deadly disease that has been moving steadily from the south to the middle of the county since last year.

So far this year, a dog and a horse, two raccoons, and one skunk have been confirmed rabid in Bedford County, according to Humane Society President Ruth E. Cummings. One child was bitten and treated for rabies.

Ten clinics were planned between April and May, assisted by seven veterinarians from three area veterinary clinics. "The veterinarians have been so supportive," said Cummings. By April 20, over 800 dogs and cats had been vaccinated, and the total number of vaccinated animals was expected to surpass the 1500 county dogs and cats that received the shots in 1982. Pet owners paid $3 for each shot. Veterinarians received $2; the society received $1.

Incorporated in late 1981, the unsheltered humane society received free advertising for the Sunday afternoon clinics from two area newspapers and four radio stations. As future clinics are held in the northern part of the county, Cummings expects other media to assist with the advertising.

Unlike last year, when during the rabies clinics three cats escaped (later found), the new clinics stressed better methods of confining and handling animals as they received their shots. "Some of the farm cats really panic when they are carried places," said Cummings. "We emphasized the use of harnesses, leashes, carrying cages or towels for holding the animals securely. The veterinarians went out to the cars in cases where there were a number of pets to be vaccinated in one family, or an animal was particularly stressed."

The humane society also learned another lesson from the 1982 clinics: Announce all clinics to the public at one time instead of one at a time. "Last year, some pet owners traveled long distances to a clinic only to find that, several weeks later, another clinic was held closer to their homes."

One drawback to this year's clinics is that there was no agreement about the type of vaccine to use, said Cummings. Some veterinarians used a three-year vaccine; others used a one-year vaccine. Cummings admitted this may present record-keeping problems in the future, but she does not have the authority to tell the veterinarians which vaccine to use.

In the future, the humane society may conduct rabies clinics in nearby Fulton County, which has no humane society. "We are trying to reach the outlying areas in the hope of protecting as many pets as we can from this deadly disease," said Cummings.

WANTED - Experienced, mature executive director for new Houston-area shelter. Beautiful, wooded environment. Strong administrative, supervisory capabilities. Responsible for operation, budget, personnel hiring. Open summer 1983. Send resume, references to Humane Society, P.O. Box 7534, The Woodlands, TX 77380; (713) 367-4146.

...for wild animals, "quality of life" must be the most important consideration.

it is with the animal's best interest in mind. This can best be accomplished through face-to-face meetings with zoo officials.

The HSUS encourages you to get involved with your zoo. It is possible that, at first, zoo officials may regard you with suspicion, but it is also possible that once mutual understanding is reached, they will appreciate your support and guidance. As professional humanitarians, you are well-qualified to foster the principle that, even for wild animals, "quality of life" must be the most important consideration.

Jeanne Roush is the assistant to the director for Captive Wildlife Protection at The HSUS.
In general, a search warrant is a permit, signed by a judge or magistrate, which gives law enforcement officers the authority to enter private property to look for specific evidence of a crime. The Fourth Amendment of the United States Constitution says that "no warrants shall be issued, but upon probable cause, supported by oath or affirmation, and particularly describing the place to be searched and the things to be seized," this is known as "warrant form." Through literally hundreds of court cases, this simple phrase has been developed and refined into a complex series of procedures that require very specific standards be met. Since these standards vary somewhat from state to state, each investigator must be aware of the requirements in his or her jurisdiction and be ready to meet them whenever necessary.

To obtain a search warrant, there must exist a reliable person who will swear to a set of facts which indicate a reasonable belief that evidence of a crime may be found at a particular location or in the possession of a particular person. This is known as "probable cause." Although the various factors that can establish probable cause vary from case to case, there are several elements that must be met, regardless of the circumstances. If only one of these elements is missing or is weak, the search warrant could be held invalid, and the items obtained by the officers executing the warrant may not be used as evidence by the courts.

In most jurisdictions, the first step towards obtaining a search warrant is to contact the prosecuting attorney. Some cities and states require that an application for a search warrant be completed, while others proceed directly with the processing of the warrant. In either case, the prosecutor must have the facts necessary to complete an affidavit which justifies the necessity of the warrant. A key factor in the credibility of the affidavit is the reliability of the informant (the person providing the facts). Usually law enforcement officers, humane-society agents, and other peace officers have, by virtue of their positions, an assumed reliability that is not questioned by the courts.

However, there may be some circumstances when information from an informant or other private citizen is the only source of facts about a specific case. If an informant wishes to remain anonymous, his or her credibility must be established in the affidavit, either from previous cases in which the same informant had supplied reliable information or from other facts which strongly support the informant’s statements. When using an informant, it is essential to discuss the case thoroughly with the prosecutor, since the anonymity of the informant may not be protected if his or her reliability cannot be proven at the time the affidavit is completed.

There are three essential elements that must be part of an affidavit for a search warrant:

1. The premises to be searched must be clearly identified. In multiple-occupancy dwellings, such as apartments or rooming houses, the individual apartment or room to be searched must be specified. In rural areas, actual street addresses (not mailing addresses) are necessary to describe the location of the premises. If a photograph of the premises can be legally obtained, it can be attached to the affidavit as further descriptive proof.

2. Probable cause must be established. This is the most difficult element of the affidavit. Remember that "probable" simply means "likely." You do not have to prove a definite case, only one that would lead a reasonable person to a particular conclusion. On the other hand, "cause" does not mean mere "suspicion." There must be a set of facts, circumstances, or other conditions that can be

3. Be timely. Facts used to establish probable cause must fall within a reasonable period of time, directly before the date on which the affidavit is completed. Facts which are too old could invalidate the search warrant, since the main reason for the affidavit is to establish that the items in question are still at a particular location. If the type of evidence to be seized is easily moved, there must be a relatively short time between the last contact with the suspected evidence and the filing of the affidavit. Timeliness is always a subjective element that must depend upon the totality of the facts being presented.

4. Affirm your belief. It is extremely important for the affiant to conclude the affidavit by affirming that, based upon the facts already presented, the affiant now believes that the evidence of the crime being charged is currently at the location specified in the affidavit.

It is important to remember that, unless otherwise specified, search warrants for a particular address are usually limited to the dwelling only. If there is a garage, barn, or other outbuildings to be searched, it must be specifically included in the affidavit. Another area that must be indicated on a warrant for a legal search is the open land or yard around a house. In legal terms, these areas are known as "curtilage," or things the "medicine man" should be included after the address of any location where it may be important to search the yard or lands immediately surrounding the dwelling.

Property to be seized must be clearly described. This description should be specific as possible and attempt to describe the material, object, or other property that may be necessary to prove the case in court. Only property that is within the boundaries of the offense being charged should be listed, however, since the list will determine the extent and nature of the searches. For example, if an investigator has a case concerning starving cattle, the warrant could possibly include items to be seized such as the owner’s bank account, drawings of feed, samples of excrement, other substances being administered to the cattle. If the warrant listed these items, the officers executing the warrant would not be permitted to search any area where these items would not likely be found (such as the bedrooms of the house), since this would not be a reasonable interpretation of the facts found in the affidavit.

The following guidelines will help when building a case for establishing probable cause in most investigations:

1. Use the first-person singular. The facts which will create probable cause must be within the personal knowledge of the affiant, who must be indicated by name and credentials.

2. Be specific. The exact dates, times, and incidents that establish your case should be presented in chronological order. If more than one investigator gathered facts for a particular case, each person should be clearly identified with the relevant information that was supplied.

3. Be timely. Facts used to establish probable cause must fall within a reasonable period of time, directly before the date on which the affidavit is completed. Facts which are too old could invalidate the search warrant, since the main reason for the affidavit is to establish that the items in question are still at a particular location. If the type of evidence to be seized is easily moved, there must be a relatively short time between the last contact with the suspected evidence and the filling of the affidavit. Timeliness is always a subjective element that must depend upon the totality of the facts being presented.

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Once the affidavit is completed, the affiant must swear to the facts in it, under oath, before a judge or magistrate. This is another essential element in obtaining a search warrant without it, the warrant will automatically be invalidated. If approved by the judge or magistrate, the affidavit will then be filed by the court, and a search warrant will be issued to the proper law enforcement officers.

Tim Greghavens is a field investigator with The HSUS/Great Lakes Regional Office, 725 Haskins St., Bowling Green, OH 43402.

SHELTER SENSE Reproducible

A continuing feature to provide animal-control agencies and humane societies with material that will help educate the public on community animal control and responsible pet ownership.

Condemned to Death!

Every summer, thousands of cats and dogs die needlessly after they are left inside cars. Even when car windows are slightly open—and pet owners are gone "just for a minute"—the rapid buildup of heat inside the car can reach well over 160 degrees in a few minutes. Pets don't sweat like people do; they cool themselves through their lungs by panting. When the air becomes too hot, brain damage and eventual death results.

Shaded parking areas, open windows and air conditioned cars with the motors off will not prevent your pet's death from heat prostration. If you must take your pet along in the car, have another person stay with it while you're gone. Ask him or her to take the animal for a walk or a rest in the shade. Provide fresh, cool water to drink.

Act immediately if you see an animal enclosed in a car on a summer day. Call the nearest police officer or humane organization for help.

Don't condemn your pet to death this summer.

This message can be clipped out and reproduced in quantity by your local printer for distribution at schools, shopping centers, libraries and other community locations. Credit must be given to The Humane Society of the U.S. Remember to add your organization's name, address, and telephone number in the space by typing, typesetting or affixing your group's letterhead. You can also purchase advertising space for it in your local newspaper or use it in your organization's newsletter.
Although it may be hard to believe that 1983 is halfway over, now is the time to dust off your New Year's resolutions about staff members, services, and the animals, to see how well you've lived up to them.

The mid-year catchwords are "progress" and "creativity"! You must never-endingly create new ideas to boost community, government and staff support for your organization, or you may never progress beyond your present state.

Involve yourselves with your community's services. Learn how you can assist them and how they can assist you. Perhaps your community has an expert amateur photographer willing to donate the photos you need in exchange for a credit line. The local print shop might donate free advertising or printing for your group in exchange for its mention in your organization's newsletter. And about that newsletter -- perhaps you've overlooked the talented editors of local high-school or college newspapers. They might volunteer to improve your newsletter to effectively reach more people with those important messages about animals and humane activities and services.

Don't be shy! Ask for what you want! Make certain your organization's name becomes a familiar household word in your community, over and over and over again.